

# HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

## UTILITY PATENT APPLICATION TRANSMITTAL

*Only for new nonprovisional applications under  
37 C.F.R. 1.53(b)*

Attorney Docket No.

2079.1009-001

First Named Inventor or  
Application Identifier

Wilhelm Amberg

Express Mail Label No.

EL552288263US

Title of  
Invention

Antineoplastic Peptides

### APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

1. ☒ Fee Transmittal Form  
(Submit an original, and a duplicate for fee processing)

6. ☐ Microfiche Computer Program (Appendix)

2. ☒ Specification **[Total Pages 58]**  
(preferred arrangement set forth below)

7. ☒ Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)

- Descriptive title of the invention
- Cross References to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to microfiche Appendix
- Background of the Invention
- Summary of the Invention
- Brief Description of the Drawings
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

a. ☐ Computer Readable Copy

b. ☒ Paper Copy (identical to computer copy)

**[ 3 ] Pages**

c. ☒ Statement verifying identity of above copies

3. ☐ Drawing(s) (35 U.S.C. 113) **[Total Sheets [ ]]**  
[ ] Formal [ ] Informal  
[ ] Fig. of the Drawings for Publication [ ]

4. ☒ Oath or Declaration/POA **[Total Pages 10]**

a. ☐ Newly executed (original or copy)

b. ☒ Copy from a prior application (37 C.F.R. 1.63(d))  
(for continuation/divisional with Box 17 completed)  
**[NOTE Box 5 below]**

i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting  
inventor(s) named in the prior  
application, see 37 C.F.R. 1.63(d)(2)  
and 1.33(b).

5. ☒ Incorporation By Reference (useable if Box 4b is checked)  
The entire disclosure of the prior application, from which a  
copy of the oath or declaration is supplied under Box 4b, is  
considered as being part of the disclosure of the accompanying  
application and is hereby incorporated by reference therein.

### ACCOMPANYING APPLICATION PARTS

8. ☐ Assignment Papers (cover sheet & documents)

☒ Assignee - BASF Aktiengesellschaft  
Germany

9. ☐ 37 C.F.R. 3.73(b) Statement [ ] Power of Attorney  
(when there is an assignee)

10. ☐ English Translation Document (if applicable)

11. ☒ Information Disclosure [ ] Copies of IDS  
Statement (IDS)/PTO-1449 Citations

12. ☐ Preliminary Amendment

13. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)

14. ☐ Small Entity [ ] Statement filed in prior application,  
Statement(s) status still proper and desired

15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)

16. ☐ Nonpublication Request (check parent application)

17. ☒ Other: Request Under 37 CFR 1.821(e); Remarks Letter

18. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:

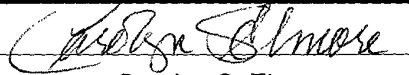
☒ Continuation [ ] Divisional [ ] Continuation-in-part (CIP) of prior application No.: 09/097,184

Prior application information: Examiner: B. Celsa

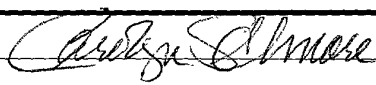
Group Art Unit: 1627

### 19. CORRESPONDENCE ADDRESS

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Signature		Date	1/9/01
Submitted by Typed or Printed Name	Carolyn S. Elmore	Reg. Number	37,567

# HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

<b>FEE TRANSMITTAL FOR PATENT APPLICATIONS</b>	Attorney Docket Number	2079.1009-001			
	Application Number				
	First Named Inventor	Wilhelm Amberg			
CLAIM CALCULATION (includes any preliminary amendment)					
CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	9 - 20* =	0	x \$ 18 =	\$ 0
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	8 - 3** =	5	x \$ 80 =	\$ 400
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 270 =	\$
				BASIC FEE (37 CFR 1.16(a) or (h))	\$ 710
				Total of above Calculations =	\$ 1110
	Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =				\$
	TOTAL =				\$ 1110
	Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =				\$
	Petition for Extension of Time Fee (37 C.F.R. 1.17) =				\$
	Assignment Recordation Fee = (only when filed with application)				\$
	* Reissue claims in excess of 20 and over original patent ** Reissue independent claims over original patent				TOTAL = \$ 1110
<p>1. Small entity status:</p> <p>a. <input type="checkbox"/> A small entity statement is enclosed.</p> <p>b. <input type="checkbox"/> A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.</p> <p>c. <input type="checkbox"/> Is no longer claimed.</p> <p>2. <input checked="" type="checkbox"/> A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.</p> <p>3. <input checked="" type="checkbox"/> A check is enclosed for \$1110.00      <input type="checkbox"/> Please charge \$[ ] to Deposit Account No. 08-0380.</p> <p>4. <input type="checkbox"/> Other: _____</p>					
Signature				Date	1/9/01
Submitted by Typed or Printed Name		Carolyn S. Elmore		Reg. Number	37,567

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Wilhelm Amberg, Teresa Barlozzari, Harald Bernard, Ernst Buschmann, Andreas Haupt, Hans-Guenther Hege, Bernd Janssen, Andreas Kling, Helmut Lietz, Kurt Ritter, Martina Ullrich, Jürgen Weymann and Thomas Zierke

Continuation Application of  
Application No.: 09/097,184  
Filed: June 12, 1998

For: Antineoplastic Peptides



Date: <u>1-9-01</u>
EXPRESS MAIL LABEL NO. <u>EL552288263US</u>

REMARKS

Box PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The above-captioned application is a continuation of application number 09/097,184 filed on June 12, 1998 to which priority is claimed under 35 U.S.C. 120.

The specification has been revised to incorporate amendments filed in the parent application. The related applications paragraph has been revised to include the parent application. No new matter has been added.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Carolyn S. Elmore

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